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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,885	01/31/2001	Junji Yoshida	MTS-3234US	6515

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EXAMINER
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SUN, SCOTT C

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/744,885

Applicant(s)

YOSHIDA ET AL.

Examiner

Scott Sun

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/31/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) 1-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-67 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/31/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 1-31 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention(s), there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 1/3/2006.

### ***Drawings***

2. Figures 4, 8(1), 8(2), 14, 23, and 24 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).  
Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 35, 38, 39, 45-49, 52-55, 58, 59, 61, 63-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 38, 52, 59 recite “and/or”, the meaning of which is indefinite. For the purpose of examination, “and/or” is interpreted as “and or or”, which simply means “or”. Examiner notes that “or” is interpreted as inclusive disjunction throughout the claims unless specifically noted otherwise. If applicant intends to mean an exclusive form of “or”, then the phrase “either ... or” should be used.

5. Claims 39, 46-49, 53-55, 61, 63-66 are rejected because of their dependency on the above rejected claims.

6. Claims 35, 45, 58 recite “said driving or said stopping of the driving, respectively, means turning on or turning off said illuminating means”. Examiner notes that claim 32 recites “driving or stop driving of said terminal device into said network” which appears to be directed to a different definition of “driving”. Therefore, it is unclear what are the intended metes and bounds of the claim. For the purpose of continuing prosecution, examiner interprets the above limitation in claim 35 to be “said driving turns on said illuminating means, and said stopping of the driving turns off said illuminating means”.

7. Claims 47, 53, 64 recite “wherein a device number is used instead of said node number”. Examiner notes that a dependant claim must include every limitation of its parent claim(s). However, the claim limitation implies that the node number is no longer used. Accordingly, it is uncertain if applicant is further limiting the claim limitation “node number” or replacing the claim limitation. For the purpose of continuing examination, examiner interprets the above limitation in claims 47, 53, 64 to be “wherein said node number is a device number”.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 32-34, 36-44, 46-57, 59-67 rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga et al (US patent # 6,603,737) in view of Yoshino et al (US Patent #6,691,150).

10. Regarding claim 52, Fukunaga discloses a computer which uses a system comprising said computer (computer 103; figure 1a, 1b, 6-8) connected to a network (1394 bus network; column 6, lines 37-49) and a plurality of terminal devices (peripherals) connected to said network, said computer comprising:

A first interface which, when said network is reset, sends out a command (bus reset) for requesting a node unique ID (ID information from configuration ROM; column 11, lines 50-53, column 12, lines 20-26) to said terminal devices into said network (column 8, lines 35-45, 54-58; column 10, lines 7-61), while sequentially changing a node number as a destination ID (column 11, lines 53-58) or by appending to said command a description as a destination ID indicating delivery to all connected devices; Examiner notes Fukunaga teaches that upon bus resets, the devices connected to the network respond to reset by first request for a node number assigned by root node. Once root node assigns a node number to a device, the device responds by providing ID information (including node number) to all devices on the network. Fukunaga further

teaches that these functions are specified in IEEE standard 1394. Accordingly, bus reset and assignment of a node number are interpreted as command for the terminal devices to send a node unique ID.

Fukunaga does not disclose explicitly the interfaces, memory, control means and converting means for performing the functions. However, Yoshino discloses a first interface and a second interface (interfaces 304;) for sending and receiving commands (column 3, lines 23-30; column 4, lines 28-33); control means for performing control so as to execute said command received via said second interface (column 4, line 55 – column 5, line 15), a second memory (self-information memory 313, figure 3; column 4, lines 28-33) which is referenced by said second interface and which stores said node unique ID unique to said device to be transmitted to said computer; a first memory (connected device memory 308, figure 3) for storing a list carrying said node unique ID and/or name designating said terminal device in corresponding relationship to said node number (column 4, line 55 – column 5, line 15); and converting means (CPU; column 3, lines 57-60) for creating said list and storing the same in said first memory at the time of the first reset and for updating said list for each reset thereafter (examiner notes that Fukunaga teaches that this function is performed at each reset); and wherein when said first interface sends the command for requesting said node unique ID into said network, said second interface returns said node unique ID to said first interface via said network in response to said command, said first interface receives said node unique ID sent out from said second interface via said network (column 4, line 55 – column 5, line 15); and converting means creates or updates said list by using said node unique received from

said each terminal device (CPU; column 3, lines 57-60); correspondence between each node and each terminal device is obtained by referencing said list (column 5, lines 57-65; figure 7). Teachings of Fukunaga and Yoshino are from the same field of IEEE 1394 networks, and specifically of device identification.

Therefore, it would have been obvious for a person of ordinary skill in the art at the time of invention to combine teachings of Fukunaga and Yoshino by using the hardware (interfaces, memory, etc) disclosed by Yoshino in the system disclosed by Fukunaga for the benefit of simplifying user operation (Yoshino, column 1, lines 62-67) and conforming to IEEE 1394 standard. Examiner notes that applicant also admits prior art having similar hardware components (interfaces, memory, etc) in IEEE 1394 networks (background; figure 23).

11. Regarding claim 53, Fukunaga and Yoshino combined disclose claim 52, wherein Fukunaga further discloses a device number is used instead of said node number (column 12, lines 25, 26).

12. Regarding claim 54, Fukunaga and Yoshino combined disclose claim 52, wherein Fukunaga further discloses said network is an IEEE 1394 bus (figures 1, 2; throughout reference).

13. Regarding claim 55, Fukunaga and Yoshino combined disclose claim 52, wherein Fukunaga further discloses a program recording medium having a program recorded thereon for enabling a computer to implement all or part of the functions of the computer described (column 33, lines 52-57).

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14. Claims 32-34, 36-44, 46-51, 56, 57, 59-67 are substantially similar to claims 52-55 above. Therefore the same arguments are applied. In addition, regarding claim limitation "driving", examiner notes that "driving" and "stop driving" into a network is interpreted as communicating (or stop communicating) with other devices to the IEEE 1394 network. According, it is monitored by other devices that the device is communicating with. Regarding claim limitation "based on a timing", examiner notes that IEEE 1394 specification determines correspondence between two devices based on a timer. The two devices communicate depending on if the timer is exceeded before a response is received. Examiner notes applicant also describes this function in prior art IEEE 1394 networks (background; pages 11, 12).

15. 35, 45, 58 rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga in view of Yoshino and further in view of Ludtke et al (6,421,069).

16. Regarding claim 45, Fukunaga and Yoshino combined disclose claim 32-34 but does not disclose explicitly displaying node number. However, Ludtke teaches displaying device information on a display (column 4, lines 10-31). Teachings of Fukunaga, Yoshino, and Ludtke are from the same field of IEEE 1394 networks, and specifically of device identification.

Therefore, it would have been obvious for a person of ordinary skill in the art at the time of invention to combine teachings of Fukunaga and Yoshino and further with teachings of Ludtke by displaying node number on display means in the combined



system of Fukunaga and Yoshino for the benefit of displaying device information to the user (column 2, line 65 – column 3, line 2).

17. Claims 35 and 58 are substantially similar to claim 45. Therefore the same arguments are applied.

### ***Conclusion***

18. Other publications are cited to further show the state of the art with respect to IEEE 1394 (1995 edition) networks, and specifically of device identification. Refer to form 892, "Notice of References Cited", for a complete list of relevant prior arts cited by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Sun whose telephone number is (571) 272-2675. The examiner can normally be reached on M-F, 10:30am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SS



KIM HUYNH  
SUPERVISORY PATENT EXAMINER  
2/70/06